

PROB 12A
(12/98)

United States District Court

for

Southern District of Ohio

Report on Offender Under Supervision

Name of Offender: **Shane W. Gaskins** Case Number: **1:00CR00041-1**

Name of Sentencing Judicial Officer: **The Honorable Susan J. Dlott**
United States District Judge

Date of Original Sentence: **October 25, 2000**

Original Offense: **Theft of Firearms From a Federal Licensee, a violation of 18 U.S.C. §§ 922(u), 924(a)(1)(D), and 2**

Original Sentence: **30 month(s) incarceration, 36 month(s) supervised release**

Special Conditions: **1) Participate in substance abuse treatment program either inpatient or outpatient
2) Pay \$100 Special Assessment
3) Pay restitution in the amount of \$44,147.70 jointly and severally
4) No new federal, state, or local crimes
5) No illegal possession of a controlled substances**

Type of Supervision: **Supervised Release**Date Supervision Commenced: **June 14, 2002**

NON-COMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	Mr. Gaskins has allegedly violated the mandatory condition of supervised release which states: "The defendant shall not commit another federal, state, or local crime." On December 10, 2004, Mr. Gaskins was arrested at the U.S. Probation Office in Cincinnati, Ohio pursuant to a warrant issued by the Hamilton County Municipal Court based on information received from the Hamilton County Sheriff's Department on the charge of Robbery. According to information received by the undersigned probation officer, on November 20, 2004, Mr. Gaskins was alleged to have inflicted physical harm on a male individual while committing a theft offense. The offender allegedly punched the victim and knocked him to the ground, and then continued to kick the victim about the head and took about \$320 in United States currency from the male victim's pants pocket. The offender was identified by the victim via a photo lineup. A warrant was issued for the defendant's arrest by the Hamilton County Municipal Court on December 6, 2004. One day after the defendant's December 10, 2004, arrest at the U.S. Probation Office, Mr. Gaskins was released on \$10,000 no ten percent bond from the custody of the Hamilton County Justice Center in Cincinnati, Ohio.

Mr. Gaskins insists that he did not commit the offense and also stated that the bar

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surveillance camera where the alleged incident took place is able to show that the offender is innocent. He is in the process of getting in contact with the Cincinnati Police Department District Three Robbery Task Force in order to facilitate their receipt of that surveillance video.

U.S. Probation Officer Action:

Due to the conflicting nature of the versions in this case which is still pending, no action is recommended at this time. However, should either overwhelming evidence indicate that the offender did indeed commit this offense or should he actually be convicted of it, the undersigned probation officer will not hesitate to ask for the issuance of a supervised release violation warrant for the offender's arrest and submit a full fledged Supervised Release Violation Report recommending revocation of Mr. Gaskins' supervised release term.

The Court is reminded that no response is necessary if in agreement with this officer's recommendation. However, if the Court wishes other action be taken, the Court is requested to mark the box below reflecting the Court's decision in this matter, and to sign at the appropriate location.

Respectfully submitted,
by *David J. Backman*
David J. Backman
U. S. Probation Officer
Date: **December 14, 2004**

Approved,
by *John C. Cole*
John C. Cole, Supervising
U. S. Probation Officer
Date: **Dec. 15, 2004**

I concur with the recommendation of the Probation Officer
 Submit a Request for Modifying the Condition or Term of Supervision
 Submit a Request for Warrant or Summons

Susan J. Dibb
Signature of Judicial Officer

Dec 15, 2004
Date